

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GREGORY WAYNE LOCKRIDGE,) Case No. 2:14-cv-00049-GMN-NJK
Plaintiff(s),)
vs.) **ORDER**
NEVADA INTERSCHOLASTIC ACTIVITIES) (Docket No. 2)
ASSOCIATION, et al.,)
Defendant(s).)

Pending before the Court is Defendant Nevada Interscholastic Activities Association's motion to quash service of process. Docket No. 2. The Court hereby **GRANTS** the motion. Where a plaintiff has submitted his complaint in conjunction with an application to appear *in forma pauperis*, the case is not deemed "commenced" for service of process purposes until the Court rules on the application to proceed *in forma pauperis* and orders the complaint to be deemed filed. *See, e.g., Ecret v. Diamond*, 2007 WL 2743432, *2 (W.D. Wash. Sept. 17, 2007) (quoting *Williams-Guice v. Bd. of Educ. of the City of Chicago*, 45 F.3d 161, 162 (7th Cir. 1995)); *see also* 28 U.S.C. § 1915(a)(1) (the court "may authorize the commencement" of the law suit upon granting an application to proceed *in forma pauperis*). In the event the Court grants the application to proceed *in forma pauperis* and orders the complaint to be deemed filed, then the Court also orders that service will be completed in conjunction with the United States Marshal's Office. *See, e.g., Jenkins v. Lab. Corp. Of Am.*, 2013 U.S. Dist. Lexis 118008, *6-7 (D. Nev. Aug. 20, 2013).

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The Court has not ruled in this case on Plaintiff's application for leave to appear *in forma pauperis*, so Plaintiff's attempted service is premature. In the event the Court grants the application to proceed *in forma pauperis* and orders the complaint to be deemed filed, the Court's order will provide an appropriate time to complete service.

IT IS SO ORDERED.

Dated: February 3, 2014

~~NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE~~